

KELLOGG, HANSEN, TODD, FIGEL & FREDERICK, P.L.L.C.

SUMNER SQUARE
1615 M STREET, N.W.
SUITE 400
WASHINGTON, D.C. 20036-3215

(202) 326-7900

FACSIMILE:
(202) 326-7999

July 31, 2020

Via ECF

The Honorable Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square, Room 430
New York, NY 10007

Re: *In re Terrorist Attacks on September 11, 2001*, 03-md-1570 (GBD) (SN)

Dear Judge Netburn:

I write on behalf of Defendant Kingdom of Saudi Arabia (“Saudi Arabia”) concerning a sealed filing made by Saudi Arabia today. Today’s filing is a reply in support of Saudi Arabia’s motion for partial reconsideration, ECF No. 6304 (sealed), of this Court’s order dated June 23, 2020, ECF No. 6290 (sealed).

Saudi Arabia’s reply contains information subject to the general MDL protective order, ECF No. 1900. On page 5 and in footnote 4, the reply discusses documents that are inviolable under the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations, which are properly sealed under this Court’s order of July 22, 2019, ECF No. 4696, at 8-10. In addition, footnote 1 of the reply discusses a document (KSA 8875) that should be maintained under seal under principles of international comity for reasons similar to those set forth in the same order. *See id.* at 11. Today’s filing also contains information subject to the Privacy Act Order and Protective Order for FBI Documents, ECF No. 4255.

Consistent with this Court’s guidance, ECF Nos. 5307, 6084, Saudi Arabia is making today’s filing under seal using the Court’s sealed ECF procedures. Saudi Arabia is also submitting its proposed redactions for FBI protected information to the FBI for review. Because the proposed redactions have not yet been reviewed by the FBI, Saudi Arabia is not filing a redacted version on the public docket at this time.

Copies of Saudi Arabia’s filing (clean and with highlighted proposed redactions) are being sent today by email to Your Honor’s chambers and to counsel for Plaintiffs, the United States, and Dallah Avco. No courtesy copies of either this letter or today’s sealed filing are

KELLOGG, HANSEN, TODD, FIGEL & FREDERICK, P.L.L.C.

The Honorable Sarah Netburn
July 31, 2020
Page 2

being sent to the chambers of Judge Daniels, as instructed by the temporary revisions to his Individual Practices in light of the ongoing public health crisis.

Respectfully submitted,

/s/ Michael K. Kellogg

Michael K. Kellogg
Counsel for the Kingdom of Saudi Arabia

cc: All MDL Counsel of Record (via ECF)